



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

April 26, 1996

Mr. Richard J. Ybarra  
Open Records Coordinator  
General Counsel Division  
Office of the Attorney General  
P.O. Box 12548  
Austin, Texas 78711-2548

OR96-0617

Dear Mr. Ybarra:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 39432.

The Office of the Attorney General (the "attorney general") received a request for the names and addresses of people in Travis County who are delinquent on their child support payments and the dollar amount each person owes. You claim that the requested information is excepted from disclosure under sections 552.101 and 552.103 of the Government Code. You have submitted to this office sample documents responsive to the request for review.<sup>1</sup>

Section 552.101 excepts "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." This exception encompasses information made confidential by statute. Section 231.108 of the Family Code provides that "[e]xcept as provided in Subsection (c), all files and records of services provided under this chapter, including information concerning a custodial parent, noncustodial parent, child, and an alleged or presumed father, are confidential." Subsection (c) allows the attorney general to use or release such information for purposes directly connected with the administration

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<sup>1</sup>In reaching our conclusion here, we assume that the "representative sample" of records submitted to this office is truly representative of the requested records as a whole. See Gov't Code § 552.301(b)(3); see also Open Records Decisions Nos. 499 (1988), 497 (1988). This open records letter does not reach, and therefore does not authorize the withholding of, any other requested records to the extent that those records contain substantially different types of information than that submitted to this office.

of the child support, paternity determination, parent locator or aid to families with dependent children programs and to consumer reporting agencies in accordance with section 231.114 of the Family Code. Section 231.101 provides the attorney general with the authority to provide child support establishment and to enforce child support orders. We conclude that the requested information is part of the files of the child support order enforcement services provided by the attorney general and is therefore confidential under section 231.108 of the Family Code. See Open Records Decision No. 417 (1984) (names and addresses of parents paying and receiving child support confidential under statutory predecessor to Fam. Code § 231.108).<sup>2</sup>

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



Stacy E. Sallee  
Assistant Attorney General  
Open Records Division

SES/ch

Ref.: ID# 39432

Enclosures: Submitted documents

cc: Ms. Remi Barron  
Investigative Reporter  
K-EYEWITNESS NEWS  
10700 Metric Boulevard  
Austin, Texas 78758  
(w/o enclosures)

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<sup>2</sup>As we have concluded that the attorney general must withhold the requested information under section 552.101, we need not now address your claimed section 552.103 exception.